

SENATOR SCOFIELD: So you're willing to go back to Senator Schellpeper's original language on that. Is that correct?

SENATOR SCHMIT: We're willing to reinstate the strict liability language, yes.

SENATOR SCOFIELD: Thank you. Your concern on the other one about the independent evaluation by the local monitoring committees you state is a result out of your concern that they're going to be replowing old ground, I guess. Am I correctly interpreting your concern?

SENATOR SCHMIT: That is basically correct, yes.

SENATOR SCOFIELD: Thank you. At this point, members, I appreciate Senator Schmit's willingness to put that strict liability language in there. That, I think, is absolutely critical so it's absolutely clear what we mean and we do not rely on case law for that. At this point though I would prefer, I think, that you stick with the Schellpeper amendments. I don't want to make this look like we're going to have...who is going to win here, but I would suggest that there are a good number of questions on this issue that have not been asked that need to be asked in addition to what has already been dealt with. I can tell you Senator Schmit and I and I believe Senator Schellpeper and Conway all served on the Governor's task force on this issue this summer. I didn't think in there we even got to all of the questions we should get to. I think there are some very serious questions relative to the economics of this whole situation, what is it going to cost? Senator Johnson says he doesn't want to talk about the economics of this issue. You cannot talk about this issue unless you talk economics because we're talking long-term ramifications not only for the community who becomes the host, but also for those ratepayers who pay their monthly bills to OPPD and NPPD and the other generators. I think there are a lot of economics questions that deserve attention. Some of those, obviously, cannot be addressed by the local monitoring committee, others can be. And I don't think that we should assume that all the questions have been asked and all the answers have been arrived at. One of the best things I think that's been done in this process has been to bring in outside expertise in the form of legal expertise. I would encourage us as well to bring in a lot more technical expertise than we have been. I think that would be an appropriate role